



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Washington, D.C. 20460

OFFICE OF  
CHEMICAL SAFETY AND  
POLLUTION PREVENTION

AUG 09 2013

Mr. Gregory A. Clark  
Keller & Heckman, LLP  
1001 G Street, N.W.  
Suite 500 West  
Washington, DC 20001

Re: Freedom of Information Act Request EPA-HQ-2013-008247

Dear Mr. Clark:

This letter provides an interim response to your Freedom of Information Act (FOIA) request (reference number EPA-HQ-2013-008247) that requested:

“... information regarding the chemical substance identified generically as phosphoramidate (premanufacture notice (PMN) number P-89-538), which is subject to a Significant New Use Rule under 40 C.F.R. § 721.6090. We are requesting non-confidential versions of the following:

- (1) The PMN for P-89-538;
- (2) The TSCA section 5(e) order for this substance; and
- (3) Any other documents or correspondence relating to P-89-538 such as, but not limited to, amendments, notice of commencement, and TSCA Inventory Update Rule or TSCA Chemical Data Reporting Rule forms.”

As noted in your FOIA request, this substance was subject to a SNUR. The SNUR was published at 58 FR 51672 (Oct. 4, 1993). The CFR citation for that SNUR is 40 CFR 721.10690. The public docket for that rulemaking is OPPTS-50612. This public docket should contain the sanitized PMN for P-89-0538 and accompanying documentation (i.e., all information claimed to be CBI has been redacted).

You can request copies of the sanitized PMN directly from the OPPT Public Docket. The OPPT Public Docket is located in the EPA Docket Center (EPA/DC) at Rm. 3334, EPA West Bldg., 1301 Constitution Ave., NW, Washington, DC. The EPA/DC Public Reading Room hours of operation are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number of the EPA/DC Public Reading Room is (202) 566-1744, and the telephone number for the OPPT Docket is (202) 566-0280. Requests for documents from the OPPT Public Docket can also be made via email: [docket-customerservice@epa.gov](mailto:docket-customerservice@epa.gov).

Attached are the sanitized versions (i.e., all information claimed by the submitter to be Confidential Business Information (CBI) has been redacted) of the requested Consent Order as well as a modification to that Consent Order and a revocation of that Consent Order.

You use the Chemical Data Access Tool for search for non-confidential 2012 CDR data at: [http://java.epa.gov/oppt\\_chemical\\_search/](http://java.epa.gov/oppt_chemical_search/). You can search for non-confidential 2006 IUR data at: <http://cfpub.epa.gov/iursearch/index.cfm>.

Unfortunately, we do not have any copies of the Notice of Commencement for this PMN in our Documentum and CIS systems. All of the records for this case have been archived at the Federal Records Center. As indicated in an email to you from Kathy Calvo on August 8, in order to obtain that document, we will need to request that the entire case file be returned to EPA by the Federal Records Center. This process could take at least several weeks and perhaps longer. You responded via email to Ms. Calvo on August 8 asking EPA to request the file from the Federal Records Center. Therefore, we will initiate that request. This will require that an extension to the FOIA completion date be obtained from you. We expect that the request to the Federal Records Center and their provision of the case file to us can be completed within a month.

Any questions regarding this response should be directed to me at (202) 564-8469. Please cite the reference number EPA-HQ-2013-008247 in any future correspondence with the Agency concerning your request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Greg Schweer", is written over a light blue horizontal line.

Greg Schweer, Chief  
New Chemicals Management Branch

Attachments